

NOVEMBER 2007

Campaign	
Richard Rios CA State Council of Service Employees Small Contributor Committee Dated: November 9, 2007 File Number A-07-175	<p>A Small Contributor Committee may contribute to a candidate in a runoff election for a seat on the California Public Employee's Retirement (CalPERS) Board, despite having already contributed the maximum contribution to the same candidate in the initial election. The runoff election is a separate election from the initial election for the CalPERS Board.</p>
Melissa Mikesell Berkeley Chamber of Commerce Dated: November 26, 2007 File Number A-07-183	<p>Committee provided additional facts and sought reconsideration of prior advice (<i>van Herick</i> Advice Letter, No. I-07-097) regarding its filing status under the Act. Committee was advised that the conclusion in the <i>van Herick</i> letter is affirmed and committee is a city general purpose committee based on its expenditures.</p>

Conflicts of Interest	
Darin W. Barber Lowell Joint School District Dated: November 13, 2007 File Number A-07-170	<p>A school board member of one school district may vote to appoint a former employee of a different school district to fill a vacancy on the board where the school board member is employed by a government entity of which both school districts are members. The school board member may also vote to appoint a former law-firm client to fill the vacancy where the client was provided one-time services over three years ago. It is not reasonably foreseeable that the votes will have any financial effect on the school board member's economic interests.</p>
Metropolitan Transit System Board Members Metropolitan Transit System Dated: November 14, 2007 File Number A-07-172	<p>Members of the board of directors of the Metropolitan Transit System may vote to support joint programs with the cities where they serve as city council members because the cities are not economic interests giving rise to a conflict of interest under the Political Reform Act. The compensation they receive from their respective cities is not considered "income" under the Act.</p>
Jonalee Istenes City of Atascadero Dated: November 16, 2007 File Number A-07-173	<p>It is unlikely that the effects of governmental decisions regarding the amenities offered in a 50-acre city will be localized to the specific project sites. Therefore, it appears the decisions will affect the overall usage of the entire park. Accordingly, a parks and recreations commissioner who owns properties within 500 feet of the park is presumed to have a conflict of interest disqualifying the commissioner from participating in decisions related to specific projects within the park, even when the boundaries of the specific project sites are more than 500 feet from the commissioner's properties. The presumption may be rebutted only by proof</p>

	that the decisions will have no reasonably foreseeable financial effect on the commissioner's properties.
Nicole Vigeant Tomales Village Community Services District Dated: November 13, 2007 File Number I-07-164	<p>A president of a community services district is advised that she will have a potential conflict of interest in participating in decisions regarding improvements to a community park if the decision will have a reasonably foreseeably material financial effect on her husband's company, which has been hired as the contractor to oversee the project.</p>

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Juanita G. Lira